

## **Remarks**

### **Objection to the Drawing**

Objection has been made to the drawing. A replacement figure is submitted herewith, labeled as “Replacement Sheet” in the margin. Numeral “19” can be found in the lower half of the drawing figure.

### **Objection to the Specification**

An amended paragraph 38 has been included herein making the correction noted in the Office action.

### **Rejection of the claims**

Claims 1-2 and 4-6 are now pending in the present application. In the Office action mailed December 24, 2002, the Examiner rejected then pending claims 1-7. By this Response, Applicants have amended claims 1-2 and 4-6 to clarify their scope and further the prosecution of this application, and have canceled claims 3 and 7. These amendments are supported by language found throughout the specification and figure as originally filed and accordingly do not add new matter to the present application. Applicants respectfully request reconsideration of claims 1-2 and 4-6 as presently amended.

Applicants traverse the rejections of all pending claims. Applicants in their specification identified a specific problem – delayed coronary therapy as a leading cause of heart damage following a heart attack and consequent increased likelihood of mortality – and proposed a solution therefore. The solution proposed is recited in the apparatus and method claims and is not obvious in light of the applied art, which doesn’t even recognize the problem.

The rejections of the pending claims appear to be based upon finding the various elements of the claims in prior art references. Without any recognition of the problem addressed by the combination recited in the claims, however, there is no suggestion or any reason given in the cited references to combine those features. In other words, without a recognition of the problem addressed by the apparatus claimed, there is no reason one of skill in the art would combine the various elements disclosed in the prior art to arrive at the applicant's invention.

Bloom *et al.*, U.S. Patent No. 6,070,761, discloses an apparatus to make the IV admixture process less labor-intensive in a hospital environment; it does not disclose a method or apparatus as claimed for providing thrombolytic therapy soon after the onset of a heart attack in an out of the hospital environment. Bloom mentions the word "heart" only once in his lengthy specification at col 27, l. 1, and then only in reference to monitoring heart rate. The words thrombolytic or its root, or coronary or its root, or cardiac or its root do not even appear in the patent. Furthermore, Bloom contains no suggestion or indication that his device could be modified to provide a truly portable unit capable of being carried by an individual susceptible to such health problems as a susceptibility to heart attacks..

McPherson *et al.*, U.S. Patent No. 5,704,223 addresses thermoelectric coolers, but just as in Bloom *et al.*, the words thrombolytic or its root, or coronary or its root, or cardiac or its root do not even appear in the patent.

Eibl *et al.*, U.S. Patent No. 5,776,452 addresses the use of thrombolytic agents, but does not indicate or suggest that such agents are useful in a portable device carried by an individual to administer thrombolytic therapy in a non-hospital setting shortly after the onset of a heart attack.

The claims as amended recite an invention patentable over the cited combination of patents. Allowance of pending claims 1, 2, and 4-6 is promptly requested.

Timeliness of this Response

The Office Action had a three month response date of December 17, 2004. Applicants have submitted herewith a Request for a three month time extension until March 17, 2005 to file the present Response and have enclosed a credit card authorization in the amount of \$510.00 to cover the fees therefore. Please charge any additional fees or surcharges necessary to make this response timely and credit any overpayments to the Deposit Account of the undersigned firm, Deposit Account No. 502417.

Conclusion

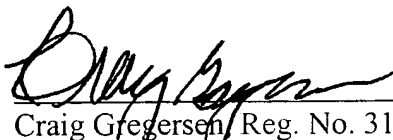
In view of the foregoing amendments and remarks, Applicants respectfully believe the claims are in condition for allowance. Reconsideration and withdrawal of the rejections of pending claims 1-2 and 4-6 in view of the art cited and applied by the Examiner and that a Notice of Allowability to pending claims 1-2 and 4-6 be issued is respectfully requested.

Respectfully Submitted,

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By their Attorney,

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